United Nations A/HRC/25/NGO/16

General Assembly

Distr.: General
05 March 2014

English only

Human Rights Council
Twenty-fifth session
Agenda item 9
Racism, racial discrimination, xenophobia and related forms of intolerance, follow-up to and implementation of the Durban Declaration and Programme of Action

Written statement* submitted by the Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[13 February 2014]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.14-11820
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Necessity to respect cultural diversity of Muslim minorities in the fight against the growth of xenophobia*

Cultural diversity is the unavoidable result of the expansion and mixing of societies and the different human cultural connections in economic, social and cultural foundations. Part of this cultural diversity is based on the differences of individuals from the ethnic, religious and sectarian aspects which shapes the formation of ethnic, religious and sectarian minorities within societies. And if the respect to this diversity is not promoted, encouraged and taught, it can be the basis of the subjecting of discrimination and unjust pressures and the promotion of xenophobia within societies. We believe that the recognition and respect to cultural diversity of the Muslim minorities can play a constructive role in the elimination of the xenophobia phenomenon in host societies. Without a doubt, xenophobia is an obstacle in the way of all sided development and the balance of societies, and is always a threat against peace and security and human rights.

The universal nature of human rights, clearly is based on international law and the Charter of the United Nations and without any distinctions. UNESCO's approach to via its cultural conventions is based on these same principles. In fact the main stress is on acknowledgement, understanding and tolerance towards other cultures on the basis of binding universal morality which is based on universal values and multi sided respect of all cultural boundaries. Today the universality of human rights and the principle of banning discrimination and equality in the enjoyment of human rights, makes the foundation stone of respecting the cultural diversity of Muslims and on the basis of confronting xenophobia. The universality of human rights is stressed in the Universal Declaration of Human Rights. And includes "all human beings" in these rights without "any discrimination" including religion and sect. and explains that "All human beings are born free and equal in dignity and rights.?" Therefore the right to be different in religion and sect has been recognised for mankind. Also in article 2 of the Tehran Declaration (1968)and article one of the Vienna Declaration (1993) stress on the universality of human rights and article 5 of the Vienna Declaration clearly deems the consideration of cultural and religious diversity by the international community as a necessity and states: "it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms." Also in articles 8, 9, 14 and 24 of the Beijing Declaration (1995), Declaration on the Rights of the Child and the Convention on the Rights of the Child (1989), the American Declaration of Human Rights (1948) and the American Convention on Human Rights (1969), European Convention on Human Rights (articles 1 and 2, 1950) the UNESCO Founding Document (article 3 and 5) and the Declaration on Principles Governing International Cultural Cooperation (1966) reaffirm and recognise this.

In fact it is like so that the UNESCO Universal Cultural Diversity Declaration (2001) stresses on respecting cultural diversity, tolerance, dialogue and cooperation in an environment of mutual trust and respect as one of the most important elements that guarantees international peace and security and in article 1 it declares cultural diversity as the common heritage of mankind which must be recognised for the benefit of the present and future generations and confirmed. Also article 3 states that cultural diversity is one of the infrastructures of development and article 4 deems the defense of cultural diversity as a moral duty which is inalienable from respect to human dignity, and deems it the indicator of commitment to human rights and fundamental freedoms. Also as 1995 UNESCO General Assembly has stated in its Tolerance Declaration, tolerance must be shown towards all human communities' thoughts and religions and also tolerance based on non-discrimination. Also the UNESCO Convention on the Protection and Promotion of Cultural Diversity (2005) deems cultural diversity as a rich investment for individuals and societies and deems its preservation, promotion and protection as a fundamental precondition for the realisation of sustainable development.
As well as these in paragraphs 1 and 2 of Article 55 of the Charter of the United Nations commits all member states to observe human rights sand fundamental freedoms for all, without any form of discrimination, including religion. On this basis, existing minorities in the regions of member states, under the shadow of nondiscrimination and equality, protected by international law. And article 27 of the International Covenant on Civil and Political Rights also states religious minorities have a right to observe their own particular culture and religious observations. Furthermore article 1(1) of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities states: "States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective," And article 2(3) states: "Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation." And 2(4) stress on their right to form and run associations specific to religious minorities. And article 4(2)states: "States shall take

measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards."

Islam is one of the three big Abrahamic religions and after Christianity it has the largest following in the world. Today millions of Muslims live in different continents and countries of the world. What we witness today being committed against Muslim minorities is based on Islamophobia as well as xenophibia. In many countries there are rumours that Muslim are different and threatening and some experts and journalists too deem Muslim youths as violence seeking groups and at times support Islamophobic publications and promote xenophobia towards Muslims, and they are deemed as violence seeking and dangerous. In some countries the Hijab is banned and Muslims are discriminatorily labeled as "blacks" or "Asians"; and in most societies Muslims continue to wish for a representative in legislative bodies.[1] We believe what is taking place today regarding Muslim minorities is not mostly from the nature of Islam and or the practices of Muslims, but it's based on the political and economic prejudice dominant in societies that see the survival and continuation of their political and economic interests in the spread of xenophobia against Muslim minorities. In facto today contrary to what exists in international law and the international human rights system, a lot of the skeptical behaviours and thoughts and xenophobic are promoted against the Muslim minorities. All these have roots in Islamophobia and are pertinent to discrimination intolerance towards Muslims, and their spreading is in contradiction to the fundamental values of mankind.
We believe that the adoption of preventive, promotional and even strict measures by member states of the international community towards what is construed of the Muslim minorities, can fundamentally be effective in the fight against the growth of xenophobia and therefore we give the following recommendaiions:

1 –Religious discrimination must be deemed unlawful just as racial discriminationis, and racial equality, religious and cultural nondiscrimination must also be covered.
2 – Services centres and employers must provide necessary facilities for Muslims to be able to conduct their religious duties at work place, and also become aware of instances that might hurt the feelings of Muslims and also do their best in employing Musliims.
3 – Attention must be made in schools towards the religious and cultural needs of students, and exchange programmes with Islamic countries at higher education and university levels must be designed and implemented.
4 – Muslims must be utilized in key positions such as the government, police and the judiciary, and the police and courts must be sensitive towards religious motivations and investigate.
5 – Schools staff, services centres and employers must be fully aware of the importance of the Islamic clothing of Muslim girl and women students, and be trained in this regard, and facilitate further research and study basis on all aspects of Islam for researchers, and to give equal support for Muslim schools.
6 – Provide all medias necessary guidelines and education on how to prepare and publish reports and news regarding religious minorities and Muslims.

7 – Policy makers and authorities must introduce Islamophobia as a form of xenophobia and must provide and spread information on its unlawfulness and conflict with human rights and the inherent dignity of mankind.

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* The House of Eternal Culture without consultative status, also shares the views expressed in this statement.

[1] See: Jocelyne CESARI: Muslim minorities in Europe; The Silent Revolution, In: Modernizing Islam: Religion in the public sphere in the Middle East and in Europe, Rugers University Pre s, 2003, pp153-251